

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ZAK LAW OFFICES, P.C., LOAN
MODIFICATION GROUP, INC. a/k/a
LOAN MODIFICATION GROUP OF
MASSACHUSETTS, and TRADIX
ASSOCIATES, INC.,

Plaintiffs/Defendants in
Counterclaim,

v.

LISA REED,

Defendant/Plaintiff in
Counterclaim.

Civil Action No. 10-10333-LTS

ORDER ON MOTION TO COMPEL DISCOVERY

January 20, 2011

SOROKIN, M.J.

Pending is defendant's motion to compel discovery.

The request to compel disclosures in response to Requests 12, 15 and 24 is DENIED.

These requests are overly broad, unduly burdensome and would require the production of numerous irrelevant documents as well as privileged documents. While discovery focused on the partnership agreements and damage discovery may be appropriate, these requests are not so focused.

The request to compel disclosure in response to Request 14 is DENIED. This request seeks documents "relating to the formation of Tradix" which was formed 16 years prior to the

events in question. Accordingly, any responsive documents are not relevant.

The request to compel disclosure in response to Request No. 16 is DENIED AS MOOT in light of Plaintiff's agreement to respond to the request as narrowed in the motion.

The request to compel disclosure in response to Request No. 17 is ALLOWED and STAYED for a period 10 days during which the parties shall either agree upon the terms of a protective order to submit to the Court or submit to the Court their dispute over whether a protective order is necessary and appropriate for this information. Any discussion of a protective order in papers submitted to the Court shall include a discussion of the specific protection sought or opposed.

The request to compel disclosure in response to Request No. 20 of financial records and Requests Nos. 21, 25 & 27 for bank account records and Request No. 23 for what appear to be bookkeeping records are DENIED EXCEPT AS STATED HEREIN. The requests as written are overly broad and requires production of confidential or trade secret business information that is irrelevant to the claims, however, defendant is entitled to discovery regarding the alleged partnership and damage discovery. The parties shall confer regarding narrower request(s) focused on these objectives and, if appropriate, a proposed protective order perhaps including an attorneys only provision. If the parties cannot agree within ten days then they shall submit one document containing defendant's proposed revised request(s) for production and plaintiff's response for the Court's review.

Accordingly, the Motion to Compel (Docket # 19) is DENIED EXCEPT AS STATED
HEREIN.

SO ORDERED.

/s / Leo T. Sorokin
UNITED STATES MAGISTRATE JUDGE